

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NOS. 2010-329-T and 2013-102-T - ORDER NO. 2013-502

JULY 16, 2013

IN RE: Docket No. 2010-329-T – Application of)	ORDER GRANTING
Earthalene Carter Nicks for a Class C (Taxi))	REINSTATEMENT OF
Certificate of Public Convenience and)	CERTIFICATE
Necessity)	
)	
and)	
)	
Docket No. 2013-102-T – Petition for a Rule)	
to Show Cause of the Office of Regulatory)	
Staff to Revoke the Certificates of Public)	
Convenience and Necessity of Certain Motor)	
Carriers for Non-Payment of Decal Fees)	

This matter comes before the Public Service Commission of South Carolina (the “Commission”) by way of a request filed by Earthalene Carter Nicks (the “Applicant”) to reinstate the Applicant’s Class C Taxi Certificate of Public Convenience and Necessity No. 8345 issued to the Applicant pursuant to Commission Order No. 2010-671, dated October 7, 2010.

On March 20, 2013, a Petition for a Rule to Show Cause¹ was filed by the South Carolina Office of Regulatory Staff (“ORS”) as to why the Certificates of Public Convenience and Necessity of certain carriers should not be revoked for failure to pay decal fees and thereby failing to comply with the statutes governing operations of Motor

¹ See Docket No. 2013-102-T.

Vehicle Carriers in South Carolina. The record reflects that the Applicant was listed in and served with the Rule to Show Cause for failure to pay decal fees.

For those motor carriers who had not responded to the prior notifications of noncompliance, a formal hearing regarding this matter was held on June 5, 2013. The Commission found that the Certificates of Public Convenience and Necessity held by certain carriers, including the Applicant, should be revoked and cancelled for the violation of failing to pay decal fees. Accordingly, the Commission issued Order No. 2013-390, which cancelled the Applicant's Certificate No. 8345.

By request filed June 24, 2013, the Applicant seeks approval to have the Certificate in question reinstated. The original Application for certification of Earthalene Carter Nicks, which is on file with the Commission, provides documentation regarding the Applicant's stated knowledge of and commitment to abide by all relevant statutes and Commission regulations.

The Commission has reviewed the case before it and after due consideration, the Commission concludes that the above-mentioned Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations, and that prior to such compliance and certification, regulated motor carrier services shall not be provided by the Applicant.

IT IS THEREFORE ORDERED:

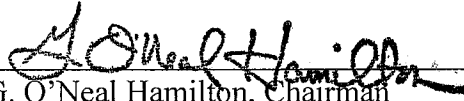
1. That Class C Taxi Certificate of Public Convenience and Necessity No. 8345 of Earthalene Carter Nicks be, and hereby is, reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

3. That prior to compliance with the applicable statutes and the Commission's Rules and Regulations, the motor carrier services authorized by the Certificate shall not be provided.

4. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


G. O'Neal Hamilton, Chairman

ATTEST:



Nikiya Hall, Vice Chairman
(SEAL)